

DOCUMENT
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DATE FILED: 6/14/12

JUN 14 2012

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER LINDNER,

Plaintiff

-against-

COURT SECURITY OFFICER (CSO) NEWELL,
CSO MUSCHITELLO, CSO JOHN DOE #1, CSO
JOHN DOE #2, 2ND CIRCUIT COURT OF
APPEALS CLERK MARGARET LAIN,
ASSISTANT US MARSHAL (USM) JAMES
HOWARD, USM BRIAN MURPHY, USM BETTY
ANN PASCARELLA, WITNESS SECURITY S.
JONES, CONGRESSIONAL AFFAIRS CHIEF D.
DISRUD, US ATTORNEY PREET BHARARA,
USM JOSEPH R. GUCCIONE,

Defendants

Thursday, June 14, 2012 3:00 PM

Via Fax: 212-805-7928

✓ The Honorable US Magistrate Judge Michael H. Dolinger
Courtroom: 17D
Chambers Phone: 212-805-0204
Deputy Phone: 212-805-0098
Fax: 212-805-7928

To the Hon. US Magistrate Judge Dolinger:

I Plaintiff Pro Se Peter Lindner hereby humbly request the permission of the Court to file ECF (Electronic Court Filing) and to use ESI (Electronically Stored Information), as per¹ FRCP 26, 34 (among others).

I note that I have spoken / emailed and received concurrences with both defendants' lawyers of Ms. Wolz, Esq. of Littler Mendelson and Christopher B. Harwood, Assistant US Attorney (AUSA) on both conforming to FRCP [e.g. 26 on ESI] and on allowing me to use ECF. I have given notice to Peter Barbur, Esq., who said he's not a party to this case, and will not take a position.²

As to my qualifications: I have been using PACER to retrieve documents for about 5 years, I have 2 degrees from MIT (with my master's in Management Information Science), and consider

¹ Also in-line with, although not a pilot project, the document Standing Order M10-468 on Pilot Project for Complex Civil Cases in SDNY
http://www.nysd.uscourts.gov/rules/Complex_Civil_Rules_Pilot.pdf

² I said I'd copy him on this document since he's mentioned.

Civil Action No. 11 cv 08365 (AJN-MHD)

MOTION FOR ECF FILING AND ESI
(ELECTRONICALLY STORED
INFORMATION)

ENDROSED
OCT 2012

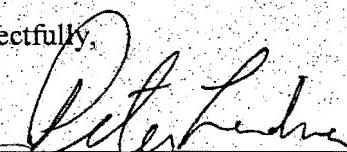
Plaintiff is authorized
to use ECF for
filing and to access
filed documents in
this case. We are
offered no reason to
waive PACER fees and
decline therefore to do
so.

6/14/12

myself incredibly computer literate. I also feel this case and my adversaries would all benefit from ECF for filing, and am unaware of any hindrances to stop me from utilizing ECF, given that Your Honor gives the approval. I will take the ECF Training Course.

Since I am filing as IFP (In Forma Pauperis), I also ask if I can have my Pacer fees waived.³ I have noticed that there is Pacer ECF Training on June 28, 2012 at Foley Square, so I took the liberty of signing up, with the caveat that I am a "Pro Se Litigant - awaiting Judge's Approval".⁴

Respectfully,



dated the 14TH day of June 2012

Peter Lindner, Litigant Pro Se

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cc:

- Christopher B. Harwood, Assistant US Attorney (AUSA), via email Christopher.Harwood@usdoj.gov
- Ms. Wolz, Esq. of Littler Mendelson, via email jwoltz@littler.com
- Peter T. Barbur, Esq., et al. PBarbur@Cravath.com

³ According to the Pacer's FAQ " Frequently Asked Questions":

"Q: I was granted 'In Forma Pauperis' status in my case. Will I receive free PACER access?

A: In Forma Pauperis status does not automatically entitle you to free access to PACER. Users must petition the court separately to request free access to PACER."

<http://www.pacer.gov/psc/faq.html>

It also notes something similar, but different:

"Q: Can the user fees be waived?

A: Exemptions from user fees are uncommon...."

⁴ See Attachment 1 for the form from page:

http://www.nysd.uscourts.gov/ecf_training.php